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* Application for leave to appear pro
hac vice for this case made by Motion on
February 11, 2008 pursuant to Local Civil
Rule 1.3(c).

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

X

TOM OGNIBENE, et al.,

Plaintiffs,

-against-

C.A. No. 08 CV 01335 (LTS) (TDK)

SCHWARZ, et al.,

Defendants.

X

DECLARATION OF MARTINA FRANCA ASSOCIATES, LLC

I, Sheila Andersen-Ricci, make the following declaration on behalf of Martina Franca
Associates, LLC, pursuant to 28 U.S.C. § 1746:

1. I am over eighteen years of age and my statements herein are based on personal knowledge.

2. I am the managing member of Martina Franca Associates, LLC.

3. Martina Franca Associates, LLC is organized under the applicable law as a limited liability company. It has elected to be taxed as a partnership. Its business is the renting of apartments.

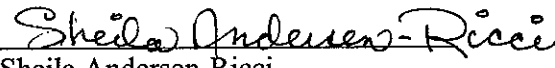
4. Martina Franca Associates, LLC would like to be able to contribute to the candidate(s) of its choice but is prohibited from doing so by section 3-703(1)(l) of the Code. If this prohibition were not codified, Martina Franca Associates, LLC would indeed contribute financially to help the candidate(s) of its choice running for office in 2009.

5. Section 3-703(1)(l) deprives Martina Franca Associates, LLC of its constitutional rights under the First and Fourteenth Amendments to the United States Constitution. It will suffer irreparable harm if enforcement of this section is not enjoined. Martina Franca Associates, LLC has no adequate remedy at law.

6. Because candidates are currently raising funds for the 2009 election, it is imperative that the Court grant relief immediately. Every day that passes without judicial relief is another day that Martina Franca Associates, LLC's First and Fourteenth Amendment rights are impermissibly burdened.

7. I declare under penalty of perjury that the foregoing statements in this declaration are true and correct to the best of my knowledge, information, and belief.

Executed on April 10, 2008.


Sheila Andersen-Ricci
Managing Member
Martina Franca Associates, LLC
339 W. 70th Street
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